

Via Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rozhon et al. Confirmation No.: 9130
Serial No.: 09/712,033 Art Unit: 1651
Filed: November 14, 2000 Examiner: Irene Marx
For: ENTERIC FORMULATIONS OF PROANTHOCYANIDIN POLYMER
ANTIDIARRHEAL COMPOSITIONS Attorney Docket No.: 11133-004-999

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated September 17, 2004 of the Primary Examiner finally rejecting claims 21-40, 75 and 76 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for one month(s):
☐ was filed on
☒ is submitted herewith.
2. ☒ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$500.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

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I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office by facsimile transmission on January 28, 2005 to facsimile telephone number 571-273-8300.


By: 

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Respectfully submitted,

Date: January 28, 2005


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